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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,735	04/20/2001	Gregg Freishtat	P3984	3037

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EXAMINER

KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
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3691

MAIL DATE	DELIVERY MODE
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07/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/839,735

Applicant(s)

FREISHTAT ET AL.

Examiner

Stefano Karmis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 02 May 2007.

Status of Claims

2. Claims 32 and 37 are currently amended. Claims 1-31 are cancelled. Therefore claims 32-41 are currently pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freishtat et al. (hereinafter Freishtat) U.S. Patent 6,317,783 in view of Dent et al. (hereinafter Dent) U.S. Patent 6,128,603 in further view of Making the Smart Investment In Personal Finance Software, Working At Home (hereinafter Working At Home).

Regarding claims 32 and 37, Freishtat teaches a network-based syndicated transaction system, comprising: a first enterprise housing integrated transaction services provided for scraping

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and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user (column 4, lines 22-51); a second enterprise maintaining at least one financial account specific to the end user in which the end user has a monetary balance; a third enterprise maintaining a billing account specific to the end user (column 16, lines 11-24) and an interactive software graphical user interface (GUI) provided by the first enterprise and executable on an end user appliance displaying at least one indication representing the user's appliance. Freishtat fails to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Freishtat to include the drag and drop teachings of Dent since both Freishtat and Dent teach account management and it specifies a method for an active interaction method of bill payment.

Freishtat and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank

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accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working At Home further teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, like scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Freishtat in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

Claims 33 and 38, Freishtat teaches that the network is the Internet network (column 4, lines 22-51).

Claims 34 and 39, Dent teaches at least two or more indications representing bills due (column 7, lines 56 thru column 8, line 2 and Figure 5). Dent also teaches the use of a checking account in the bill payment and also allows for the cashflow analyzer to recommend at certain

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times, payment to other accounts such as credit cards (column 10, lines 1-14). This recommendation is an indication of a second account. Work At Home teaches that the buttons represent multiple accounts including bank and credit card accounts (page 7, middle). Work At Home teaches dragging one of the account buttons to the bill desired to pay (page 7, middle). Dent and Work At Home teach instructing bill payment with drag and drop software and both teach the ability to use bank accounts. While Dent teaches recommending using a credit card, Dent fails to actually teach implementing the credit card as drag and drop whereas Work At Home allows for a finance button such as bank account or credit card account to be dragged and drop for payment of a bill. Therefore, the bank account or credit card account button can be dragged for payment. There is sufficient motivation to combine the teachings of Freishtat with Dent and Work At Home because they provide an efficient manner for paying bills.

Claims 35 and 40, wherein the billing information is provided to the service by the third enterprise maintaining a billing account specific to the end user (column 6, line 55 thru column 7, line 6, column 9, lines 30-58 and column 16, lines 10-24).

Claims 36 and 41, wherein the billing information is provided to the user and the user enters the billing information to the service utilizing the GUI (column 6, line 55 thru column 7, line 6, column 9, lines 30-58 and column 16, lines 10-24).

Response to Arguments

5. Applicant's arguments filed 02 May 2007 have been fully considered but are not persuasive.

Applicant argues that Freishtat in view of Dent in further view of Working At Home fails to teach a plurality of financial accounts. The Examiner respectfully disagrees. Working At Home teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading).

Applicant also argues that Freishtat in view of Dent in further view of Working At Home fails to teach an instruction to the financial account to pay the billing. The Examiner respectfully disagrees. As noted above, Working At Home teaches that the buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading; Examiner notes that dragging a particular account and scheduling payment provides instruction, such as to the payment service through prodigy to pay the bill).

Therefore claims 32-41 stand rejected and Applicant's request for allowance is respectfully declined.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
Stefanos Karmis
17 July 2007

A handwritten signature in black ink, appearing to read 'Stefanos Karmis', with a long horizontal flourish extending to the right.